

(Sealed)

Brief Exhibit

No. 2

**LAW ENFORCEMENT OPERATIONS ORDER**

CASE ID NUMBER 343C-LV-42870	
FIELD DIVISION/SQUAD LV	
Date Prepared 03/28/2014	Planned Operation Date 04/05/2014
CASE TITLE <u>OPERATION GOLD BUTTE;</u> <u>CLIVEN BUNDY - SUBJECT;</u> <u>DOMESTIC POLICE COOPERATION MATTERS -</u> <u>BUREAU OF LAND MANAGEMENT</u>	
CASE AGENT/OFFICE SA Clinton W. Dalrymple	Telephone Number <b>Redacted</b>
ALTERNATE CASE AGENT/OFFICE SA Andrew Gruninger	Telephone Number <b>Redacted</b>

**SITUATION/MISSION**

Type of Operation	Activity Location Gold Butte/Bunkerville/Riverside, Nevada
<input type="checkbox"/> Arrest <input type="checkbox"/> Search <input type="checkbox"/> Surveillance <input type="checkbox"/> Seizure <input checked="" type="checkbox"/> Other	
Warrant Information	<input type="checkbox"/> Warrant Verified _____
Overall Mission Concept (Brief statement of who, what, why, when, and where) To monitor BLM cattle roundup operation in Gold Butte area and with AUSA concurrence investigate Assault on a Federal Officer case(s) that could arise as a result of the operation.	
<b>CAUTION STATEMENT</b> Bundy family members have made non-specific threats regarding the cattle roundup and there is expected to be protesters supporting Bundy as well as protesters for environmental groups. Fellow ranchers have verbally supported Cliven.	

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SITUATION/MISSION CONTINUED

SUBJECT INFORMATION

Name: Cliven D. Bundy	Race: Caucasian	Sex: Male	DOB: Redacted
Aliases:	Height: 6'0"	Weight: 200 lbs.	
	Eyes: blue	Hair: Brown	
Fingerprint Code:	SSAN: Redacted	FBI#:	

Identifying Marks and Tattoos:

None known

Address: 3315 Gold Butte Rd., Bunkerville, NV. 89007

Vehicle Info.: 2003 White Dodge crew cab pick-up truck bearing NV license [REDACTED] and a 2003 Mercury 4 door sedan, bearing NV

license [REDACTED]

Criminal History: None

**REASON FOR CAUTION STATEMENT** (subject specific)

Subject has been assessed by BAU as not being violent based on past history, but if backed into a corner could be. The subject has termed this a range war and been fighting the Federal government for the past 20 years.

Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included. There are 2 federal civil judgements for the impounding and removal of trespass cattle and land improvements from BLM/NPS lands in and around the Gold Butte area. The civil judgements were issued and signed by U.S. District Court Judge Hicks in 2013.

Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) **Provide Photo If Available.**

Cliven Bundy has 14 children most of whom support his viewpoints about the BLM and roundup. Local area residents have verbally offered support as well. Fellow ranchers may protest the event.

**SITUATION/MISSION CONTINUED**

<b>SUBJECT INFORMATION</b>			
Name: Ryan Bundy	Race: Caucasian	Sex: Male	DOB:
Aliases:	Height: 5'11"	Weight: 165 LBS.	
	Eyes: Blue	Hair: Blond	
Fingerprint Code:	SSAN: Redacted	FBI#: [REDACTED]	
Identifying Marks and Tattoos: Significantly disfigured face			
Address: [REDACTED]	Cedar City, NV 84721 and [REDACTED]	Cedar City, NV. 84721	
[REDACTED]			
Vehicle Info.: 2003 White Nissan Altima [REDACTED] 2007 Gray Chryslet Pacifica SUV [REDACTED] dark colored 2 door Toyota Tacoma [REDACTED]			
Criminal History: Arrest resisting and obstruction after a 21 mile vehicle pursuit in Mt. Zion national park.			
Does not recognize BLM as an agency.			
[REDACTED]			
[REDACTED]			
<b>REASON FOR CAUTION STATEMENT</b> (subject specific) Has had violent encounters with law enforcement officers in past. As a result of interviews with family members and associates of Cliven Bundy, the majority have warned interviewers that Ryan could be violent.			
[REDACTED]			
Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included.			
[REDACTED]			
Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) <b>Provide Photo If Available.</b>  Ryan Bundy is the most vocal of the family and based on interviews is the most likely to do something to obstruct the operation and be confrontational with law enforcement. Ryan talked to Sheriff Gillespie on 03/27/2014 and indicated that he objected to the BLM operation and would be protesting peacefully.			

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SITUATION/MISSION CONTINUED

SUBJECT INFORMATION			
Name:	Race:	Sex:	DOB:
Aliases:	Height:	Weight:	
	Eyes:	Hair:	
Fingerprint Code:	SSAN:	FBI#:	
Identifying Marks and Tattoos:			
Address:			
Vehicle Info.:			
Criminal History:			
<b>REASON FOR CAUTION STATEMENT</b> (subject specific)			
Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included.			
Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) <b>Provide Photo If Available.</b>			

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SITUATION/MISSION CONTINUED

SUBJECT INFORMATION			
Name:	Race:	Sex:	DOB:
Aliases:	Height:	Weight:	
	Eyes:	Hair:	
Fingerprint Code:	SSAN:	FBI#:	
Identifying Marks and Tattoos:			
Address:			
Vehicle Info.:			
Criminal History:			
<b>REASON FOR CAUTION STATEMENT</b> (subject specific)			
Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included.			
Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) <b>Provide Photo If Available.</b>			

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**SITUATION/MISSION CONTINUED**

<b>SUBJECT INFORMATION</b>			
Name:	Race:	Sex:	DOB:
Aliases:	Height:	Weight:	
	Eyes:	Hair:	
Fingerprint Code:	SSAN:	FBI#:	
Identifying Marks and Tattoos:			
Address:			
Vehicle Info.:			
Criminal History:			
<b>REASON FOR CAUTION STATEMENT</b> (subject specific)			
Identify other outstanding legal processes. The issuing officials, districts and dates issued, and warrant locations should be included.			
Other Information Regarding Subject (Can include items such as possible locations of subject, identification of associates, and information provided by informants and other law enforcement agencies.) <b>Provide Photo If Available.</b>			

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**SITUATION/MISSION CONTINUED**

INTELLIGENCE - Additional pertinent information can be added as an attachment

- Site Survey Results \_\_\_\_\_
- Danger Areas \_\_\_\_\_
- Aggressive Animals \_\_\_\_\_
- Surveillance Systems Internet camera with view of Bundy residence \_\_\_\_\_
- Cover and Concealment \_\_\_\_\_
- Presence of Children/Minors \_\_\_\_\_
- Other See attached command post duty schedule \_\_\_\_\_

**LAW ENFORCEMENT PARTICIPANTS IN THE OPERATION**

Identify personnel directly involved in the operation, as well as their assignment (entry/perimeter) for the operation

NAME	AGENCY	ASSIGNMENT	SIGNAL#	CELLULAR#
Clinton W. Dalrymple	FBI	command post/AFO agent	1609	
Andrew Gruninger	FBI	command post/AFO agent	1602	
Henry Schlumpf	FBI	command post/AFO agent	509	
James J. Mollica Jr.	FBI	command post/AFO agent		
Michael Abercrombie	FBI	command post/AFO agent	1601	Redacted
Stuart Turner	FBI	command post/AFO agent	1607	
Terry Kerns	FBI	Command Post SSA	16	
Jennifer Cormack	FBI	Command Post SSA	9	
Elena Iatarola	FBI	Command Post SSA	5	

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**OTHER LAW ENFORCEMENT PERSONNEL**

Identify personnel who are not directly involved in the operation, but may support the overall mission (e.g., mass interviews, evidence technicians, photo specialists, intelligence analysts, Command Post personnel, traffic control, etc.)

NAME	AGENCY	ASSIGNMENT	SIGNAL#	CELLULAR#
Redacted	AUSA	Command Post/BLM matters		Redacted
	AUSA	Command Post/Criminal Matters		

**EXECUTION****OVERALL PRIMARY PLAN SUMMARY**

Squad 16, Squad 9, and Squad 5 agents will be present in the BLM command post to monitor the BLM operation. If requested, and with AUSA concurrence, will investigate any Assault on a Federal Officer (AFO) incidents.

The LV ASAC is the FBI On Scene Commander (OSC) and the command post SSA will supervise the FBI resources/investigation(s) during the BLM operation.

LV FBI ERT will be on a recall/standby posture.

AUSA's will be in command post to provide legal guidance on BLM civil enforcement issues and criminal matters that may develop during the BLM Gold Butte operation

\*\*\*BLM has a separate approved Operations Plan for the roundup operation and an electronic copy is on the FBI LV S drive and all FBI personnel are required to review it in its entirety prior to working the event.

\*\*\*LV FBI SWAT/CNT have a separate approved Operations Plan (FD-888).

SPECIFIC DUTIES

(Concise, detailed statements directing how each unit, squad, team, or individual accomplishes their duties.)

LV SA's will conduct the investigation(s) of Assault on a Federal Officer (AFO) with concurrence from AUSA on scene that one has taken place.

LV SA's will conduct investigation and request additional resources if needed through on scene SSA and ASAC.

LV SA's will coordinate with ERT in regards to crime scene processing.

LV SA's will coordinate with BLM to have suspect(s) transported to Henderson City Jail at 243 South Water St., Henderson, NV. 89015, tel# [Redacted] and contact USMS at [Redacted]

## EXECUTION CONTINUED

### COORDINATING INSTRUCTIONS

(Include here instructions common to all. Examples include times and dates for specific phases of the operation, coordination intra-office or with other agencies, warrant verification, danger areas, rehearsals, debriefings, etc.)

Directions to the command post are:

Take 15 North towards Mesquite

After Riverside/Bunkerville exit 112, get in left lane of I-15 and turn in cut across between mile markers 114 and 115.

Drive across I-15 South lanes into dirt lot where a marked BLM unit will be as well as a portable lighting unit.

OR

Take I-15 North to Mesquite and get off on first exit ramp and get back on I-15 South and drive on I-15 south approx. 5 miles get in right lane and turn into gravel lot in between mile marker 115 and 114 (BLM marked unit and portable light stand)

## **POLICY STATEMENT USE OF DEADLY FORCE (7/1/2004)<sup>1</sup>**

### **GENERAL PRINCIPLES**

1. Law enforcement officers and correctional officers of the Department of Justice may use deadly force only when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person.

- A. Deadly force may not be used solely to prevent the escape of a fleeing suspect.
- B. Firearms may not be fired solely to disable moving vehicles.
- C. If feasible and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force.
- D. Warning shots are not permitted outside of the prison context.
- E. Officers will be trained in alternative methods and tactics for handling resisting subjects which must be used when the use of deadly force is not authorized by this policy.<sup>2</sup>

Non DOJ Deadly Force Policy Addressed  
"All Non DOJ personnel will abide by their own agency's Deadly Force Policy"

<sup>1</sup>Part II of the Deadly Force Policy, which is not included on this form, is applicable only in cases of prison unrest which would principally involve HRT and/or SWAT. If a prison unrest situation arises, agents should contact the CDC or OGC for further legal guidance.

<sup>2</sup>An alternative method may be use of a less lethal device. All use of less lethal devices must be consistent with the Department of Justice Policy Statement on the Use of Less-Than-Lethal Devices.

**EXECUTION CONTINUED**

**CONTINGENCIES**

**ADMINISTRATION AND EQUIPMENT**

**WEAPONS AND AMMUNITION**

FBI issued weapons and standard magazine load.

**CLOTHING AND EQUIPMENT**

(Includes protective gear, identifying clothing, and special equipment, e.g., ballistic shield, body armor, pepper spray, flex cuffs, etc.)

FBI issued protective gear and LV SA's have appropriate clothing to conduct investigation in a rural area that may require walking off road in remote areas in the elements.

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## ADMINISTRATION AND EQUIPMENT CONTINUED

### HANDLING OF INJURED

Be specific. Include EMS telephone numbers, local radio channels, and addresses of medical facilities and/or EMS)

On Site Medical Support Available: Minimal

(This should include on-site medical support personnel name(s), location and contact information/call signs.)

Nearest Hospital/Trauma Center:

Name of Hospital: Universtiyy medical Center (UMC)

Address and Key Map Designation: 1800 West Charleston Blvd., Las vegas, NV. 89102

Telephone Number: (702) 383-2000

Life Flight Information: 877-686-4460 (provide GPS coordinates)

Additional Emergency Medical Information: Mesa View Regional Hospital, 1299 Berta Howe Ave., Mesquite, NV. 89027

tele # (702) 346-8040

### HANDLING OF PRISONERS

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: Male

Subject To Be Transported Directly To Incarceration:  Yes  No

Transporting Agents: \_\_\_\_\_

Subject Will Be Transported To FBI Office For Processing:  Yes  No

Transporting Agents: \_\_\_\_\_

Processing Agent(s): \_\_\_\_\_

Fingerprinted  Yes  No Fingerprinting Agent: \_\_\_\_\_

Photographed  Yes  No Photographing Agent: \_\_\_\_\_

DNA Swab  Yes  No Swabbing Agent: \_\_\_\_\_

Interviewed  Yes  No Interviewing Agent(s): \_\_\_\_\_

Subject Has Medical Needs?  Yes  None Known

If yes, please describe:

## HANDLING OF PRISONERS

Subject #2

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: Male

Subject To Be Transported Directly To Incarceration:  Yes  No

Transporting Agents: \_\_\_\_\_

Subject Will Be Transported To FBI Office For Processing:  Yes  No

Transporting Agents: \_\_\_\_\_

Processing Agents(s): \_\_\_\_\_

Fingerprinted  Yes  No Fingerprinting Agent: \_\_\_\_\_Photographed  Yes  No Photographing Agent: \_\_\_\_\_DNA Swab  Yes  No Swabbing Agent: \_\_\_\_\_Interviewed  Yes  No Interviewing Agent(s): \_\_\_\_\_Subject Has Medical Needs?  Yes  None KnownIf yes, please describe:  
\_\_\_\_\_  
\_\_\_\_\_

Please Provide Details For All Additional Subjects.

## HANDLING OF PRISONERS

Subject #3

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Subject To Be Transported Directly To Incarceration:  Yes  No

Transporting Agents: \_\_\_\_\_

Subject Will Be Transported To FBI Office For Processing:  Yes  No

Transporting Agents: \_\_\_\_\_

Processing Agent(s): \_\_\_\_\_

Fingerprinted  Yes  No Fingerprinting Agent: \_\_\_\_\_Photographed  Yes  No Photographing Agent: \_\_\_\_\_DNA Swab  Yes  No Swabbing Agent: \_\_\_\_\_Interviewed  Yes  No Interviewing Agent(s): \_\_\_\_\_Subject Has Medical Needs?  Yes  None KnownIf yes, please describe:  
\_\_\_\_\_  
\_\_\_\_\_

Please Provide Details For All Additional Subjects.

HANDLING OF PRISONERS

Subject #4

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Subject To Be Transported Directly To Incarceration:  Yes  No

Transporting Agents: \_\_\_\_\_

Subject Will Be Transported To FBI Office For Processing:  Yes  No

Transporting Agents: \_\_\_\_\_

Processing Agent(s): \_\_\_\_\_

Fingerprinted  Yes  No Fingerprinting Agent: \_\_\_\_\_

Photographed  Yes  No Photographing Agent: \_\_\_\_\_

DNA Swab  Yes  No Swabbing Agent: \_\_\_\_\_

Interviewed  Yes  No Interviewing Agent(s): \_\_\_\_\_

Subject Has Medical Needs?  Yes  None Known

If yes, please describe:

Please Provide Details For All Additional Subjects.

HANDLING OF PRISONERS

Subject #5

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Subject To Be Transported Directly To Incarceration:  Yes  No

Transporting Agent(s): \_\_\_\_\_

Subject Will Be Transported To FBI Office For Processing:  Yes  No

Transporting Agent(s): \_\_\_\_\_

Processing Agent(s): \_\_\_\_\_

Fingerprinted  Yes  No Fingerprinting Agent: \_\_\_\_\_

Photographed  Yes  No Photographing Agent: \_\_\_\_\_

DNA Swab  Yes  No Swabbing Agent: \_\_\_\_\_

Interviewed  Yes  No Interviewing Agent(s): \_\_\_\_\_

Subject Has Medical Needs?  Yes  None Known

If yes, please describe:

Please Provide Details For All Additional Subjects.

## CONTROL AND COMMUNICATIONS

Command Post (if utilized)		
Supervisor in Charge: Duty SSA (Kerns/Phillips)	Location: BLM Command Post	
Phone#: _____	Radio Channel: A-1	Call Sign: _____
On-Scene Command		
Agent in Charge: Dalrymple/Gruninger	Location: BLM Command Post	
Phone#: <b>Redacted</b>	Radio Channel: A-1	Call Sign: <b>Redacted</b>
<input type="checkbox"/> If applicable, state & local police notified		

RADIO COMMUNICATIONS (include channels, frequencies, secure or clear mode)			
Channel ID (A-1, D-4, etc.)	Secure/Clear	AGENCY/OWNER (i.e., FBI, Virginia State Police, etc.)	PRIMARY PURPOSE/use (i.e., Sniper Channel, Administrative/Support Channel, etc.)
B2	clear	FBI	Mesquite area
DNB 6	clear	FBI	South of Bunkerville
DNB 16	secure	FBI	SWAT

### CAUTION STATEMENT (Repeat of General Case Related Caution Statement)

Bundy family members have made non-specific threats regarding the cattle roundup and there is expected to be protesters supporting Bundy as well as protesters for environmental groups. Fellow ranchers have verbally supported Cliven. Bunkerville area residents have mixed thoughts about the BLM and cattle roundup. There is the possibility of a confrontation with law enforcement by certain Bundy family members trying to obstruct the operation.

Reviewed By: \_\_\_\_\_  
Certified Tactical Instructor (Review to be conducted at the discretion of the SAC or Designee)

Reviewed By: \_\_\_\_\_  
GS-14 Supervisory Special Agent

Approved By: \_\_\_\_\_  
On Scene Commander or SAC Designee

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